

EXHIBIT A



John E Deaton
@JohnEDeaton1



#XRPHOLDERS:

It has been brought to my attention that several people may have contacted Judge Torres via email or letter to the Court.

AGAIN, PLEASE DO NOT CONTACT THE COURT OR ANY ATTORNEYS IN THIS CASE!

If you want your story included or told then please email my firm but

1:33 PM · Mar 31, 2021 · Twitter for iPhone

490 Retweets **44** Quote Tweets **1,496** Likes



Thread

Back



John E Deaton
@JohnEDeaton1



Replying to [@JohnEDeaton1](#)

PLEASE - I BEG YOU - DO NOT CONTACT THE JUDGE
OR THE MAGISTRATE OR THE COURT OR THE
[@SEC_Enforcement](#) ATTORNEYS OR THE [@Ripple](#)
ATTORNEYS.

My firm reads your emails. I know that many of you have
suffered economic hardships.

But no good can come from disturbing the process. 🙏
🙏

1:33 PM · Mar 31, 2021 · Twitter for iPhone

298 Retweets **10** Quote Tweets **1,286** Likes



Thread



John E Deaton @JohnEDeaton1 · Apr 6

...

IMPORTANT NOTICE:

The Court is aware that many members of the public have been calling into the Court's telephone conference line many hours in advance of the conference. There are other court proceedings currently taking place prior to the conference in this matter, so for any

39

106

508



John E Deaton
@JohnEDeaton1

...

Replying to @JohnEDeaton1

member of the public that wishes to listen in to the conference in this matter, please do not call in until 2:00 p.m. EST. SO ORDERED.

Please do not call before 2.

12:33 PM · Apr 6, 2021 · Twitter for iPhone

60 Retweets 3 Quote Tweets 410 Likes



Tweet



John E Deaton
@JohnEDeaton1



[#XRPCommunity](#)

Judge Netburn and Judge Torres are very smart and very fair Judges.

[@Ripple](#), [#XRPHolders](#) and the Crypto community are lucky that these two Judges were assigned a case of this magnitude.

Please do not release any recordings of this hearing, if it was recorded.

4:09 PM · Apr 6, 2021 · Twitter for iPhone

434 Retweets **8** Quote Tweets **2,283** Likes

← **Tweet**



John E Deaton
@JohnEDeaton1



Great job [#XRPCommunity](#) making your presence known.

Please make sure we all comply with no recordings, etc.

If we are granted oral argument on our motion to intervene, I may write a letter to the Court asking for the number to be increased to at least 10k if needed.



Jeremy Hogan @attorneyjeremy1 · Apr 30

Congratulations XRP People. By the start of the hearing today the telephone system MAXED OUT at 4k listeners! The Court is very aware of the "High Interest" in the case (quote from Judge Netburn). MISSION ACCOMPLISHED! I need to finish up some pleadings and then home to video!

11:08 AM · Apr 30, 2021 · Twitter for iPhone

269 Retweets **8** Quote Tweets **1,705** Likes



John E Deaton (207K Followers Beware Imposters)

@JohnEDeaton1

...

Please be advised that the @SECGov has already complained about #XRP HOLDERS listening on the phone. 🙄 That was early on and there haven't been any issues since.

Let's max out the conference call but give them zero to complain about.

underlying actions to a halt.” *Bear Stearns*, 2003 WL 22000340, at *4. Given the high level of interest in this litigation, participation by thousands of investors has already proven “incredibly disruptive” to Judge Netburn’s court conferences. Ex. G (Tr. of Apr. 6, 2021 Hrg.) at 3:13–4:20.⁵ Thus,

XRP investors, both those who agree with the SEC’s litigation position and those who do not, appear to follow this litigation closely. Routine discovery hearings are attended by thousands of participants, and Judge Netburn has admonished some of them for posting recordings of the conferences online, in contravention of the Court’s rules. Ex. 4:21–5:13. While it is understandable that these individuals wish to protect the vitality of their investments (or to help countable parties who they believe have harmed them), allowing an army of investors with competing viewpoints to enter this enforcement action would result in significant logistical burdens for the Court and the parties.

 **CryptoLaw** @CryptoLawUS · Aug 30, 2021

 **BREAKING:** Judge Netburn has published the dial-in for tomorrow's discovery hearing (8/31) at 12:00pm EST (16:00 UTC):

USA: (844) 867-6163

INTL: (409) 207-6969

Access Code: 9453921#

****Recording and/or broadcasting the hearing is STRICTLY PROHIBITED.**

9:52 PM · Aug 30, 2021 · Twitter for iPhone

322 Retweets 14 Quote Tweets 1,226 Likes





John E Deaton (207K Followers Beware Imposters)
@JohnEDeaton1



Considering this issue ultimately relates to the pending motion I filed as amicus counsel, I will resist the temptation to comment.



James K. Filan 🇺🇸 🇮🇹 106k (beware of imposters) @FilanLaw · Jul 10

#XRPCommunity #SECGov v. #Ripple #XRP BREAKING: Defendants and SEC in brawl over expert reports. SEC is taking the “extreme position . . . that the names of its experts and any substantive criticism of their reports should be kept from public view.” Expedited briefing requested.

EXHIBIT

July 10, 2022

July 10, 2022

July 10, 2022

Ms. Filan

Hon. Andrea Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

SEC v. Ripple Labs Inc., et al., No. 20-cv-10832 (AT) (SN) (S.D.N.Y.)

Dear Judge Torres

The parties are scheduled to file their *Daubert* motions on Tuesday, July 12, 2022. Defendants write to seek an expedited briefing schedule on the extreme position taken by the U.S. Securities and Exchange Commission (“SEC”) that the names of its experts and any substantive criticism of their reports should be kept from public view.

As the Court is aware, there is a pending SEC request to seal information identifying one of the SEC’s experts (“Expert 1”) and the substance of his testimony. See D.E. 498, 508 at 2-3, 512 at n.1. The SEC has informed Defendants that they will seek to extend that relief to three additional experts (“Experts 2-4”). For those three experts, the SEC has insisted not only that their names and identifying information be withheld, but also that any mention of the substance of their reports or deposition testimony should also be sealed until the motion concerning Expert 1 is resolved. Since the whole point of a *Daubert* motion is to call into question the reliability and admissibility of an expert’s report and testimony, this effectively means that the entire *Daubert* motions for Experts 1-4 would have to be filed and kept under seal.

The report of Expert 3, including his name and affiliation, has already been filed on the public record by the SEC. The SEC nonetheless insists that Defendants redact even Expert 3’s name and any identifying information from its *Daubert* motion and the exhibits thereto, including his report (which is already public).

The existing factual record in the pending SEC request (as to Expert 1) does not support the extraordinary relief the SEC seeks even as to Expert 1, let alone as to its other experts. The SEC’s attempt to shield the identities and opinions of its experts from any public scrutiny is both unprecedented and unsupported by any evidence of need. It is antithetical to the right of the public to have access to substantive materials that will be critical to this Court’s upcoming rulings on the parties’ *Daubert* motions. The “substantial” presumption of public access is strongest where, as

identity

For the past five days, Defendants endeavored in earnest to find some temporary compromise with the SEC that would allow at least some of the *Daubert* motions to be filed publicly on July 12. Those efforts were unsuccessful.¹

Given the SEC’s confidentiality designations, Defendants have no choice but to file four of their five *Daubert* motions and exhibits under seal pending a court ruling on the SEC’s position. The *Daubert* motion as to Expert 5 will be filed (at the SEC’s insistence) provisionally sealing that expert’s name and other identifying information. Defendants accordingly request that the Court establish the following expedited schedule to resolve these issues:

- July 12: *Daubert* motions and exhibits (with the limited sealing as to Expert 3) are filed under seal.
- July 18: Parties identify to each other any *Daubert* material that they contend should be redacted and filed under seal.
- July 20: Parties meet and confer on proposed redactions.
- July 22: Parties seeking redactions that have not been agreed to file motion(s) to seal with the Court.
- July 25: Parties file oppositions to redactions that have not been agreed to.

A FREDERICK PLLC
Counsel for Defendant Ripple Labs Inc.

HAMILTON LLP
Counsel for Defendant Bradley
Garlinghouse

cc: All Counsel of Record (via ECF)

12:25 AM · Jul 11, 2022 · Twitter for iPhone

139 Retweets 4 Quote Tweets 795 Likes



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@JohnEDeaton1

...

In short: [@Ripple](#) has asked for the [@SEC_News](#) to produce its non-public internal policies governing SEC employees' purchases or sales of digital assets.

The SEC claims that these documents are irrelevant.

Because our motion is pending, I won't comment, but you sure can!



James K. Filan 🇺🇸 🇮🇹 **106k (beware of imposters)** @FilanLaw · Jun 11, 2021
#XRPCommunity #SEC_NEWS v. #Ripple #XRP The SEC has filed its Response to Ripple's Motion to Compel the SEC to turn over the internal BTC, ETH and XRP documents Judge Netburn has already twice told them to turn over.

dropbox.com/s/h1k93xz090sh...

7:09 PM · Jun 11, 2021 · Twitter for iPhone

158 Retweets **12** Quote Tweets **820** Likes





Tweet



John E Deaton (207K Followers Beware Imposters)

@JohnEDeaton1



As I tweeted before since this involves a pending motion I filed, I won't comment.

 **James K. Filan**   **106k (beware of imposters)** @FilanLaw · Jun 14

#XRPCommunity #SEC v. #Ripple #XRP The SEC has filed under seal a redacted version of the brief and its exhibits opposing the amici motion to participate in the Daubert challenge. It's now up to District Judge Torres to decide what will be public and what will remain under seal.

8:45 PM · Jun 14, 2022 · Twitter for iPhone

52 Retweets **1** Quote Tweet **411** Likes

